

1 SUE CAMPBELL
Attorney at Law
2 State Bar Number 98728
1155 North First Street, Suite 101
3 San Jose, California 95112
(408) 277-0648

4 Attorneys for Plaintiffs
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 MIKE GELLER AND MIKE YARBROUGH }
AS TRUSTEES OF THE INTERNATIONAL }
11 BROTHERHOOD OF ELECTRICAL }
WORKERS LOCAL 302 HEALTH AND }
12 WELFARE AND PENSION TRUST FUNDS, }

13 Plaintiff,

14 vs.

15 ALL AREA ELECTRIC & CONSTRUCTION }
CO., a California Corporation, }

16 Defendant.
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CASE NO.: C08 03097 JF HRL

REQUEST FOR
DISMISSAL OF
ENTIRE ACTION

18 Comes now the Plaintiffs MIKE GELLER AND MIKE YARBROUGH AS TRUSTEES
19 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 302
20 HEALTH AND WELFARE AND PENSION TRUST FUNDS in the above-entitled action and
21 hereby dismiss the entire action with prejudice as to every party.

22 No answer has been filed in this matter. The defendant has paid all monies requested in
23 the complaint for November and December 2006. This dismissal specifically does not waive
24 the right of the Trust Funds to audit the employer for the above time period, or any other time

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1 period, and to collect any additional monies found to be delinquent as a result of an audit
2 through a subsequent legal action.

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4 Dated: August 18, 2008


SUE CAMPBELL
Attorney for Plaintiffs

PROOF OF SERVICE BY MAIL

I, the undersigned, say:

That I am now and at all times herein mentioned a citizen of the United States, over the age of eighteen years, a resident of Santa Clara County, California, and not a party to the within action or cause; that my business address is 1155 North First Street, Suite 101, San Jose, California; that I served a copy of the attached REQUEST FOR DISMISSAL OF ENTIRE ACTION by placing said copy in an envelope addressed to

All Area Electric & Construction Co.
1780 Oakdale Ave.
San Francisco, CA 94124

which envelope was then sealed and, with postage fully prepaid thereon, was on August 18, 2008 deposited in the United States mail at San Jose, California; that there is delivery service by United States mail at the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 18, 2008 at San Jose, California.


MATTHEW MINSER